



EMPOWERMENT OF MUSLIMS THROUGH PRIs: A CASE STUDY OF SIWAN (BIHAR)

DISSERTATION

SUBMITTED IN PARTIAL FULFILMENT OF THE REQUIREMENTS
FOR THE AWARD OF THE DEGREE OF

Master of Philosophy

IN

SOCIOLOGY

BY

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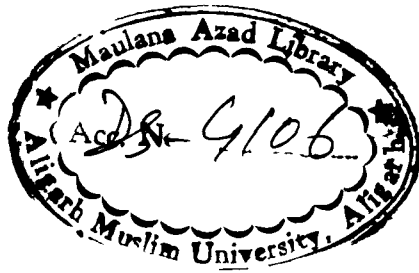
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CERTIFICATE

This is to certify that **Mr. Sohail Akhtar** has worked under my supervision for this M.Phil. dissertation entitled, “**Empowerment of Muslims through PRIs : A Case Study of Siwan (Bihar)**”. The Researcher has incorporated the original data in his work. I consider it suitable for submission for the award of the degree of **Master of Philosophy in Sociology**.

(DR. P.K. MATHUR)
(Supervisor)

Acknowledgment

Praise to almighty Allah for his countless and innumerable invisible conspiracies to shower me with the necessary courage, vision, determination and faith, for making this dream into a reality. It is surely the Allah's benevolent hand who generated in me the desire to hunt for realities and complete this work.

I am extremely thankful to my supervisor, Dr.P.K Mathur (Reader) for giving me his helping hand at the most difficult phase of my work. He brought me out of the tempest when there was no one around and gave me his support and love. His able guidance and critical approach always made me to face the rough waters with ease and get my boat sailing.

Special and profound thanks to Prof.Noor Mohammed, the Chairman Department of Sociology and Social Work, A.M.U, Aligarh for his able guidance and inputs throughout my stay in the department and especially during the research period. I must thank him for extending to me the necessary facilities of department and seminar library whenever needed, to make my research exercise sail smooth.

I am also grateful to all my teachers Dr.Abdul Wahid, Dr.Abdul Matin, Dr.Syed Zainuddin, Dr. Nemat Ali Khan, Dr.Md Akram, Dr. Mrs. Sameena, Dr. Shreen Sadiq, Dr.Naseem Ahmed Khan and Dr. Md Shahid who kept the pressure on me by their sympathetic enquiries and advised me on various conceptual and theoretical issues related with the study.

I am grateful enough to U.G.C. for granting me the fellowship that really helped me to devote my energies fully into the research work. My thanks are also due to the seminar library in charge Dr. Ibne Hassan and staff of Maulana Azad Library, A.M.U, Aligarh needs to be acknowledged for making me available the necessary research material and facilities to carry out my research work smoothly.

I must thank my seniors Gyanendra Mishra, Imtiyaz Ahmed, Sheikh Bilal Ahmed, Raj Kumar, Primrose Basher, Afzal Sayeed, Charul Sharma and Seema Kumari,

for making my thoughts mature and diversified through innumerable and countless versatile discussion. I am also thankful to Ziaul Haque, Deptt. Of Statistics & O.R. A.M.U. Aligarh for his kind help throughout in the preparation of dissertation.

Throughout this journey, I received invaluable support and encouragement from many peoples especially Mr. Moinuddin, Gufran, Wasi, Arif, Masood, Fayaz, Jawed, Nazmul, Mahfooz, Aslam, Shonu, Fouzia, Irshad, Shazia, Narjis, Tabrez and Iqbal for making my life meaningful and colorful myriads of ways, sometimes with playful prank, sometimes with a positive feedback, sometimes with a criticing remark and sometimes with a casual smiles.

Last but not least I feel privileged to acknowledge the contribution of my family in my every act, dream and endeavor. I don't have words to thank my Papa, for his untiring faith and support in my every decision and in my every dream. I feel short of words to my mother, the lady who introduced me to the civilization of words, showed to me how to walk, how to talk and how to dream and for love she gave me. I feel short of words to my Brother in law Haider Ali and Perwez Ahmed and other relatives Anwarul Haque, Jawed Ahmed and my Uncle for their everlasting moral support affection and patience without which it would have been impossible for me to accomplish the arduous task for completing this dissertation.

Dated:

SOHAIL AKHTAR
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Chapter-1

INTRODUCTION

This is study of empowerment of Muslims through Panchayati Raj Institution since the Muslims form a disadvantaged and marginalized community in India which is behind all other communities except SCs and STs in all most all indicators of developments. In the discourse on development across the world, the term empowerment has gained currency during the last few decades. The mid 1980s saw the term empowerment becoming popular in the field of development especially in reference to disadvantaged and marginalized groups. More recently, the word has entered the vocabulary of development agencies such as United Nation. Empowerment is a widely used term both in popular and scholarly literature but it is loosely used. Its meaning often seems hazy and unclear and it is not properly defined. A review of literature suggests that while there has been much debate at the theoretical level as to what empowerment comprises of but, there has been little primary research at the grassroots level to contribute to our understanding of what empowerment means in everyday terms. The definitions of the empowerment given by various authors are necessary in order to operationalise the term so that it can be used for these studies.

Various authors on empowerment emphasis change in power relation as in the following definitions.

According to Sahay (1998: 18) “The process of challenging existing power relation, and gaining greater control over the resources of power, may be termed as “empowerment”. According to Batliwala (1995) “The process of challenging power relation, and of gaining greater control over the resources, may be termed as empowerment”.

According to Parthasarathi (2002: 17) “Empowerment is all about power for so long powerless and changing hitherto biased balanced of power”. According to Morgan and Boolman (1989: 197).The concept of empowerment has been defined as a spectrum of political activity ranging from acts of individuals resistance to mass political mobilization that challenge the basic power relations in our society.

The concept connotes attempt to change the social and economic institution that embody the he basic power relation in our society.

According to Barker (1991: 74) Empowerment as the process of helping a group or community to achieve political influence or relevant legal authority. According to Sharma (1991), the term “empowerment” refers to a range of activities from individuals self assertion of collective resistance protest and mobilization that challenge basic power relations. According to Beteille (1999:591) “.....the main point

behind empowerment is that it seeks to change society through re-arrangement of power". According to Bhasin and Dhar (1998:17). Empowerment is an ongoing and dynamic process, which enhances women's and other marginalized and alienated group's abilities to change the structures and ideologies that keep them subordinate Empowerment is therefore clearly concerned with power, and particularly with power relation and the distribution of power between individuals and groups.

Other authors on empowerment elaborate the concept by emphasizing capacity for greater participation in decision making and greater control over resources as in the following definitions.

According to Sahay (1998:22) "Empowerment is a process of awareness and capacity building leading to greater participation, to greater decision-making power and control, and to transformative action". According to Zippy (1995) Empowerment represents a means for accomplishing community development tasks and can be conceptualized as involving two key elements giving community members the authority to make decisions and choices and facilitating the development of the knowledge and resources necessary to exercise these choices. According to Barker (1991) Empowerment is often described as building community capacity which involves enhancing

the aptitude of community groups to procure and manage social and economic resources. According to Momin (2004: 8) “Empowerment refers to the enhancement of people’s capability to acquire control over personal, economic, social, political, and cultural resources in order to improve their life situation”. According to Gupta (2004) “Empowerment has been understood as a process of participation in decision making that enhance the ability of disadvantages and powerless individual to enhance their self confidence and willingness to participate equally in economic and political activity”

These all definitions refer to bringing about change in power relation and capacity for greater participation in decision making and greater control over resources.

Since power is the root of term empowerment’ it is necessary to define power. The concept of power in political sociology can be understood by Max Weber who had the largest influence on the sociological study of power to which he assigned a wide significance in every social domain. Weber off quoted definition of power is as follows: “In general, we understand by power the chances of a man or a number of men to realize their own will in a social action even against the resistance of others who are participating in the action. The conception of power referred to above is that power which some have

over others corresponds to what may be called the zero –sum approach to power. Some have power to the extent that others are without it, the more power some have, the less other have of it. Hence empowerment refers to the process by which those with no power or less power are able to gain power.

Empowerment is derived from the word “power” as used above. The prefix “em” attached to the noun “power” to create a verb. According to Webster’s NEW World Dictionary (1982) this prefix is used to form verb meaning to make, make into or like, cause to be .Yet the actual definition offered for Empower are to give power or grant power, give ability to, enhance permit. This definition all refers to a process where by power is given gained or permitted. Yet, power must be developed or take by the powerless themselves as well as being granted. It is possible for individuals or groups to empower themselves as well as being the recipient of power given by others. The definition of empower as transitive verb relates back to the connection of the prefix “em” to the noun power. This can be defined as to gain power, to develop, to give, grant power. The noun empowerment which is not listed in Webster’s New World Dictionary (1982) refers to the process by which power gained, developed or given. A people moves from condition of relative powerlessness to relative power through the

empowerment process. Thus the disadvantaged and marginalized groups get power through the process of empowerment. This process is used for disadvantaged and marginalized groups to bring about change in power relation and capacity for greater participation in decision making and greater control over resources.

India is a plural society which is multi-religious and multi-ethnic. It is divided into communities and community based identities on language, religion, cast and tribe. These communities vary in terms of socio- economic profile with some communities being marginalized. There are substantial differences in socio- economic and demographic profile s of major religious communities in India, mainly resulting from socio-cultural and historical reasons. This is the case with Muslims in India. Although they have wage progress since independence and especially since the late 1980s. They remains far below the national average in almost all areas of life. Though they are largest minority in India because of large absolute numbers, though percentage wise they are minority given that India is host to the 2nd largest population in the world exceeding one billion (Sheriff & Azam, 2004:7-8). In India Muslim are economically as well as politically marginalized. This manifested in the grossly disproportionate representation of the community inn parliament and state legislatures,

in the central and state Government, in the police and Para –military forces, in the judiciary and bureaucracy, in the public and private sectors, in the higher professions and in institution of higher learning (Siddiqui,2004:i). The reason given by the Muslims is lack of Governments concern about development of community. But others emphasis the Muslims mentality of defeatism and motivational deficit as the reason for the marginalization. Whatever its reason may be, it must be said that no country can be stable and progressive if substantial sections of its population fail to keep pace with the rest and remained marginalized.

The empowerment of the Muslims is thus crucial for the country because this is the only way in which this disadvantaged and marginalized group can secure its rightful place in a democratic framework and keep pace with others communities in development. The empowerment of Muslims will bring about change in power relation and give them capacity for greater participation in decision making and greater control over resources. One way to bring about the empowerment of Muslim or any such marginalized group in Indian society is by giving them representation in the strategic institution which would make democracy and development real and effective (Beteille, 1999:596). Such institutions are the parliament state

legislatures and Panchayati Raj Institution and adequate representation of Muslims in these would insure the proper functioning of democracy and bring about their development. Democracy depends on people participation at the grass root level. Empowerment of the Muslims through Panchayati Raj Institution can also be a mechanism for their development. Therefore a study of the extend of participation of the Muslims in the PRIs will indicate the extent to which democracy is successful at the grassroots level. The empowerment of the Muslim through Panchayati Raj Institution will also the way by which the development of the community can be ensure. This is the reason for making this study of the extent of empowerment of the Muslims through PRIs in a district of Bihar.

Chapter-II

BIHAR, LAND PEOPLE AND HISTORY

Bihar is located in the eastern part of the country in the indo gangetic plain and it is an entirely land locked state. Bihar lies in the mid-way between the humid west Bengal in the east and the sub-humid Uttar Pradesh in the west, which provides it with a transitional position in respect of climate, economy and culture. It is bounded by Nepal in the north and newly divided Jharkhand in the south. It lies between the $24^{\circ} 20' 10''$ to $27^{\circ} 31' 15''$ of the north latitude and $83^{\circ} 19' 15''$ to $88^{\circ} 17' 40''$ of east longitude. The area of whole Bihar is 94163 sq. km i.e. 2.86% of the India's area. It lies between the north to south 345 km and 483 km from east to west and is the 2nd biggest state among 28 states in India on the basis of geographical area.

Bihar is the third most populous state after the U P and Maharashtra, despite the creation of Jharkhand from the state of Bihar in 2000. The total population of Bihar according to 2001 census is 82878796. The male population is 43153964 that is (52.1%) and female population is 39724832 that is (47.90%). The rural population is 89.54% and urban population is 10.46%. The Hindu population is 68994943 that is (83.13%). The male population of Hindu is 36033500 and female population 32961343. The rural population of Hindu is 62083392 that is (83.54%) and urban population is 6911551 that is (79.61%). The Muslim population is 13677393 that are (16.48%). The

male population of Muslim is 7038743 and female population is 6638650. The rural population of Muslim is 11979830 that are (16.12%) and urban population is 1697563 that are (19.55%).The state has a lowest literacy rate 47.53%. the rural literacy rate is 43.92% and urban literacy rate is 71.93%. The male literacy rate is 59.68% and female literacy rate is 33.12%. The Hindu literacy rate is 47.9 %. The male literacy rate is 61.2 % and female literacy is 33.4%. The rural literacy rate is 30.5% and urban literacy rate is 44.28 %. The Muslim literacy rate is 42%. The male literacy rate is 51.8 % and female literacy rate is 31.5 %. The rural literacy rate is 38.68% and urban literacy rate is 64.34 %.According to 2001 census.

“Bihar” has been coined from the word “vihara” which means Buddhist monasteries. At one time in history, these “viharas” were strewn all over the landscape of Bihar, around village and cities alike. Bihar finds mention in the Vedas, Purans, epics etc (Bhatt and Bhargava, 2005:19). The history of the landmass currently known as Bihar is very ancient. In fact, it extended to the very dawn of the human civilization. Earliest myths and legends of Hinduism the Santana (eternal) Dharma – are associated with Bihar. Sita, the consort of lord Rama, was a princess of Bihar. She was the daughter of king Janak of videha. Janakpur, the capital of king Janak, and the place

where lord Rama and Sita were married, lie just across the boarder of Nepal. Maharishi Valmiki, the author of the Ramayana lived in ancient Bihar. It was here that prince Gautam attained enlightenment and became the Buddha at Bodh Gaya, a town in central Bihar, and the great religion of Buddhism was born. It was here also that Lord Mahavira was born and attained nirvana and established the great religion of Jainism. It here also that Guru Govind Singh was born and became the tenth Guru of Sikhism. The ancient kingdom of Magadh and Licchvi were here around about 7 to 8th century B C which produced a numbers of great rulers. One of these was Chandra Gupta Maurya and in his court was kautalya, the author of Arthashastra, the first treatises of the modern science of politics who was Chandra Gupta's adviser. Another Mauryan king, Ashoka (also known as preyadarshi and prayadashi), around 270 B C was the first to formulate firm tenets for the governance of people. He had these tenets, the so called edicts of Ashoka, inscribed on stone pillars which were planted across his kingdom. The figure of lions atop a pedestal, with inscribed of a wheel, was adopted as the official seal of the independent republic of India in 1947. Ashoka's empire extended from what is now the North West Frontiers Province (in Pakistan) in the West, to the eastern boundaries of present Assam India in the North, and certainly, up to the Vindhyan range in the south and its capital was Patliputra

which is at present Patna the capital of Bihar (Bhatt and Bhargava,2005:19-20).

In medieval times Bihar lost its prestige as the political and cultural centre in India. The Mughal period was a period of centralized administration from Delhi which became the political and cultural centre of India. The only remarkable person of these times in Bihar was Sher Shah or Sher Khan Sur, an Afghan. Based at Sasaram which is now a town in the district of the same name in Bihar. He successfully defeated the Mughal king Humayun, the son of Babur, twice once at Chausa and then, again, at Kannuj. Through his conquest Sher Shah became the ruler of territory that, again, extended all the way to the Punjab. He was not only a ferocious warrior but also a noble administrator in the tradition of Ashoka. Several acts of land reform are attributed to him and he also made ainns (sarais) on the side of the road which he constructed across north India now known as G T road (Bhatt and Bhagava, 2005:21).

During most of British rule, Bihar was a part of the presidency of Bengal and was governed from Calcutta. When separated from the Bengal presidency in 1912, Bihar and Orrisa comprised a single province. Later, under the Government of India Act 1935, Orrisa became a separate province and the province of Bihar came into being

an administrative unit of the British India. At independence in 1947 the state of Bihar with the same geographical boundary formed a republic of India. In the year 2000 Bihar was divided to the form a new state of Jharkhand. During the struggle for India's independence, it was from Bihar that Gandhiji launched his civil disobedience movement, which ultimately led to India's independence. At the persistent request of a farmer, Raj Kumar Shukla from the district of Champaran in 1917 Gandhiji took a train ride to Motihari the districts headquarter of Champaran. Here, he learned, first hand, the sad plight of the indigo farmer suffering under the oppressive rule of the British. He sent latter's to the viceroy of India describing what he saw in Champaran and made formal demands for the emancipation of these farmers. He launched a movement for the emancipation of the indigo farmers and the success of this movement was first instance of the success of civil disobedience as a tool to win freedom. The British received their first "object lesson" of the power of civil disobedience and Gandhiji became a national leader after his visit to Bihar. Thus, in 1917, began a series of events in a remote corner of Bihar that untimely led to the freedom of India in 1947 (Bhatt and Bhargava, 2005:21-22).

Chapter-III

HISTORY OF PRIS IN INDIA

Since the Vedic times the village in India has been considered as the basic unit of local self administration. The will of the village people has dominated every village republic. In ancient polity, the activities of village administration were to manage tanks, pastures, temples, markets; dispensation of justice, taxation etc. The administration of village was controlled by the village panchayat headed by Gramik and Gramin (Rajput, 1984:46).

Local government functioned in India in the time of imperial Mauryas but in the sense in which it is understood today it is an offshoot of the British rule. After ancient time panchayat lost its function, but in the British period Mayo and Rippon revised the ancient village panchayat in modern era. The Indian Council Act of 1861 inaugurated the policy legislative devolution and Mayo's resolution of 1870 on financial decentralization was its outcome. Administrative convenience and financial stringency prompted the imperial government to transfer to the control of provincial government certain departments of administration which included education, medical services and roads. Lord Mayo's resolution emphasized that local supervision was necessary for success in the management of the funds devoted to education, health and public works. This could lead to the development of self government and for the association of Indians to

greater extent than earlier in the administration of affairs. After all the Government of India Act of 1961 was passed these council were subsequently to be established at the local level to form the bases of local –self –government or Panchayati Raj in India (Mahajan, 1986:38).

The resolution of the 18th may 1882 of Lord Rippon stands out as a land mark in the development of local self government and led to the people undertaking the management of their own affairs. He is rightly credited with the enunciation of a new philosophy of developing the capacity of the peoples for self help which could be done only by peoples through participation in local government. It was also necessary to share power with the growing number of educated people who would then be able to share the burden of the work and to improve efficiency. The government of Rippon desired the provincial government to apply in case of local bodies the same principal of financial decentralization which Lord Mayo's government had began towards them. The resolution of 1882 which marks the effective beginning of the local self government in India. The development of local bodies was advocated not only with a view to improving administration, but as an instrument of political and popular education. The resolution embodying this doctrine has been hailed as the Magna-

Carta and Lord Rippon, its author as father of local self government in India (Maheshwari, 1971:17, ventatragaiys & pattabhiram, 1969:109).A document of such historic importance is worth quoting!

“In advocating the extension of the local self government and the adoption of this principle in the management of many branches of local affairs. The Governor General in council does not suppose that the work will be in the first instance, better done than if it remained in the sole hand of the government district officers. It was not primarily for improvement in administration than this measure was put forward. It was chiefly desirable as an instrument of political and popular education. His excellency in council has himself no doubt that in course of time, as local knowledge and local interest are brought to bear freely upon the local administration, improved efficiency will in fact follow....It is not uncommonly asserted that the people of this are themselves entirely indifferent to the principle of local self government ,that they prefer to have such affairs managed for them by government officers. The Governor General in council does not attach much value to this theory. It represents, no doubt, the point of view which commends itself to many active and well-intentioned district officers, and the people of India are, there can be really no doubt, remarkably tolerant of existing fact's. As education advances more there will be rapidly growing up all over the country an educated class of public

whom it was necessary to utilize...The annual reports of every government tells of an ever-increasing burden laid upon the shoulder of the local officers. The cry is every where for increased establishments. The universal complaint in all the department is that of over work. Under these circumstances, it becomes imperatively necessary to look around for some means of relief, and the Governor General in council has no hesitation in stating his conviction that the only responsible plan open to the government is to induce the people themselves to undertake, as far as may be, the management of their own affairs, and to develop, or create, if need be, a capacity for self – help in respect of all matter's that have not, for imperial reason, to be retained in the hands of the representatives of government” (quoted in Maheshwari,1971:17-18). Reforms projected by Ripon were ignored by government and district officers who were responsible for putting them into practice, the local daroga and bania were the real bosses in the village and the locals leadership was not concerned while formulating the policy but rather this policy was impose from above, unfortunately therefore, Lord Rippon resolution, often desirable as the milestone on the roads of Indian Self-government or Panchayati Raj remained a dead letter for a long time (Purwar, 1960:46-47).

The next steps in the history of Panchayati Raj was the report of the Royal Commission on decentralization which was appointed by the government in 1907 and published in 1909. The then Secretary of the State of India was alarmed at a gigantic state of over centralization and he took a serious note of it and called it a great mischief. He attributed it to a widening gulf between the officials and the people of India. The commission recommended that it is most desirable, alike in the interests of decentralization and in order to associate the people with the local task of administration, than an attempt should be made to constitute and develop village panchayat for the administration of local village affairs and became an instrument of people participation (Malaviya, 1956:221). The commission laid emphasis on the development of village panchayat and gave the importance of Sub – District Boards and recommended that these should be established in every taluka of tehsil and should be the principal agencies in rural board administration. The proposals and suggestions of the commission were favorably commented by the Government of India but the officials found some practical difficulties to implement in the different part of the country. They were not willing to share power with the people as it would weaken the hold of bureaucracy on them. The inefficient bureaucracy for not doing even the little that was suggested

in the report of the Royal Commission on decentralization for people participation (Mathew, 2000:4).

The development of the local self government institutions or Panchayati Raj got further fillip with the introduction of Montague Chelmsford Report which made local self government a transferred subject under the scheme of Diarchy (Kazi, 2002:69). To make local self government really representative as well as responsible, the Montague Chelmsford Report on the Indian constitution reforms had suggested that there should be, as far as possible, complete popular control in the local bodies and the largest possible independence for them from outside control (Khanna, 1972:29). Notwithstanding this professed objective of the Montague Chelmsford Scheme, it did not make local self government democratic and vibrant instrument. The most significant development of this period was the establishment of village Panchayat's in number of provinces. However, these statutory panchayat covered only a limited number of villages and had, generally, a limited number of functions (Mathew, 2000:5).

The Government of India Resolution of 16 May 1918 revised the entire question of local self government in the light of announcement of 20 August 1917. In order to give effect to the new policy outlined, the resolution suggested that local bodies should be

made as representative as possible of the people. The resolution of 1918 approved the proposal of establishing departments of local self government or Panchayati Raj institution in the provinces. After all this resolution stated that local bodies should not be looked upon as mere mechanical adjuncts of local self government but as association designed to develop village corporate life on the basis of the intimacy existing between the inhabitants who had not only common civic interest but also kept together by ties of tradition and of blood. The provincial governments were urged to make an effective beginning towards development of village panchayat. The Government of India's Act of 1919 was passed and enforced in 1920. All the provinces passed their respective acts to revive and resuscitate panchayat so as to ensure people participation in the local affairs (Purwar, 1967:53). Yet this attempt also did not lead to the sharing of power with the people and their continued to be the concentration of power in the hands of government officials.

It was a Gandhiji, who for the first time in the 20th century articulated the need to revive the Panchayats with democratic bases for their own and invest them with adequate power so that the villagers could have a real sense of gram swaraj. In his opinion, the village would be a complete republic independent of its neighbors for its own

vital wants and yet inter dependent for way others in which dependence is necessity. The government of the village will be conducted by the panchayat of five person annually elected by the adult of villagers, male and female, possessing minimum prescribed qualification. They will have all the authority and jurisdiction required. Since there will be no system of punishment in the accepted sense, the panchayat will be the legislature, judiciary and executive combined to operate for its year of office, here there is a perfect democracy based upon individual freedom. The individual is the architect of his own government (Meenakshisundaram, 2004:110).

Gandhiji writes! “My idea of village swaraj is that it is a complete republic, independent of its neighbors for its vital want, and yet interdependent for many other in which dependent is necessity. Thus every village’s first concern will be to grow its own food crops and cotton for its cloth. It should have a reserve for its cattle, recreation and play ground for adult and children. Then if there is more land available, it will grow useful like money crops, thus excluding ganja, tobacco, opium, and the like. The village will maintained a village theater, school and public hall. it will have its own waterworks ensuring water supply. This can be done through controlled wells and tanks.

Education will be compulsory up to the final basic course. As far as possible every activity will be conducted on the co operative basis. There will be no castes such as we have today with their graded untouchablity. Non violence with its techniques of Satyagraha and non-cooperation will be the sanction of the village community. There will be a compulsory service of village guards who will be selected by rotation from the register maintained by the village. The government of the village will be conducted by the panchayat of five persons, annually elected by the adult villagers, male and females, possessing a minimum prescribed qualification. These will have all the authority and jurisdiction required. Since there will no system of punishment in the accepted sense, this panchayat will be the legislature, judiciary and executive combined to operate for its year of office. Any village can become such a republic today without much interference, even from the present government whose sole effective connection with the villages is the extraction of the village revenue....my purpose is to present an out line of villager government here there is a perfect democracy based upon individual freedom. The individual is an architect of his own government. The law of non violence rules him and his government. He and his village are able to defy the might of a world. For the law governing every villager is that he will suffer death

in the defense of his and his villager's honors" (quoted in Mahajan, and Sethi, 1958:333).

Despite the insistence of Gandhiji to recognize the village panchayat as the basic institution for Indian democracy but Dr, Ambedker who made the most significant contribution to the drafting of the Indian constitution did not share this view. He openly asked in the constituent assembly "what is the village, but a sink of localism, a den of ignorance, narrow mind ness and communalism." He felt that only a centralized polity would be able to protect the interest of the deprived castes. He genuinely believed that these village republics have been the ruination of India. The condition of the caste ridden Indian village then was such that one can easily understand why Dr, Ambedker thought this way. His strong opposition to the concept of village as the basic unit of administration had resulted in the panchayat not even finding a mention in the first draft of independent India's constitution. However, as a compromise, the organization of village panchayat ultimately found entry through article 40 of the Indian constitution under the Directive Principle of the State Policy. This article merely state that "the state shall take the step to organize the village panchayat and endow them with such powers and authority as may be necessary to enable them to function as units of self

government". Since this left little obligation to introduce Panchayati Raj in India, there was no legislation at all to implement it until 1959 (Meenakshisundaram, 20004:110).

History of Panchayati Raj Institution after Independence.

The focus of this time was on the development of all sections and in March 1950, the planning commission came into existence and began to plan for large scale economic and social development. It was soon realized that no development would be achieved until it was backed by the development of villages since 80% of the people lives in the villages. The planning commission, therefore, thought of shaping the village development program, as to attack the five giants, of hunger, poverty, disease, squalor and ignorance through a self help program of community development (Dayal, 1970:3). The Community Development Program started on October 1952. The National Extension Service followed the Community Development Program providing an administrative apparatus to the latter. The National Extension Service Program was formulated and put into a operation on October 2 1953. (Desai, 1984: 612 and Dayal, 1970:3).

The committee on the plan project, a high power body constituted by National Development Council under the chairmanship of the Balwantray G Mehta appointed in 1957, to study after the

functioning of the Community Development Program. The report submitted at end of December 1957, had tried to find out what needs to be done to make the performance match with promise (Dayal, 1970:9 and Maheshwari, 1963:9-10). The report revolutionized the entire thinking about the community development as well as the rural local government or Panchayati Raj Institution. It was undoubtedly an outstanding and important landmark in people participation in decision making (Sharma, 1987:18 -19). The team did not try to conceal the bitter truth and admitted that one of the least successful aspects of the community development and the National Extension work was its failure to evoke popular initiative (Mehta, 1957:3). The team pointed out "local people's have not shown any enthusiasm or interest in the Community Development or National Extension Services. While an attempt had been made to harness local initiative, it failed because no attempt was made to create a representative and democratic institution which will supply the local interest, supervision and care needed to ensure its success. It was necessary to consider the needs and wishes of the local people and for this it was necessary to create local self government or Panchayati Raj Institution (Mehta, 1957:5). The team laid emphasis on immediate decentralization of power which had not yet taken place below the state level. It was of the opinion that it can be effected by a devolution of power to local bodies or Panchayats

which, when created, will have the entire charge of development must be controlled and directed by popular representatives of the local area (Mehta, 1957:7).

The Balwantray Mehta committee report gave a blue print for Panchayati Raj Institution which was to serve as the institutional framework of people's participation in India. They suggested three tier schemes with Panchayats as the base, Panchayat Samiti as the intermediate tier, and Zila Parishad at the apex (Nariman, 1981:20-21 and Dayal, 1970:21). The panchayat should be a directly elected institution with provision for the co option of two women members and one member each from the SCs and STs. The report suggested that Panchayat Samiti which would form the most important unit in the three tier scheme should have a jurisdiction co-extensive with a development block (Mehta, 1957:17). According to the report that there should be Zila Parishad (highest body of the PRIs) at the district level, mainly with a view to achieving the necessary co ordination between the Panchayat Samiti with the district. The Zila Parishad was to consist of the president of Panchayat Samiti, Member of Parliament and State Legislature and district level offices of the development (Mathur, 1981:23-Haldipur, 1981:166). The team further pointed out that if this experiment of democratic decentralization was to yield

maximum result, it was necessary that all the tiers of the scheme, viz, Village Panchayat, Panchayat Samiti and Zila Parishad should be started at the same time and operated simultaneously in the whole district (Mehta,1957:128).

The recommendations of the study team in favor of a system of democratic decentralization were considered by the National Development council in January 1958. The council emphasized that the foundation of any democratic structure had to be democracy in the village, and endorsed the recommendation of the team. It was, however, left to the state to work out the structure best suited to its condition. This point was further affirmed by the central council of local - self - government when it suggested that the evolution of this genuine transfer of power to the people may be left to the state government .Accordingly, the state government's were evolving their own pattern of democratic decentralization. Subsequently, the term 'democratic decentralization' was given up and the term 'Panchayati Raj Institution was adopted (Dayal, 1970:23-24& Maheshwari, 1963:9-10&Maheshwari, 1970:77). All most all the states government's accepted Balwantray Mehta famous proposal for democratic decentralization. It was enthusiastically incorporated in the emerging consensus on National development in India However, although no

less than person than Shri Jawaharlal Nehru, the free India's first prime minister, lent his personal support towards statutory institutionalization of the Balwantry Mehta study's team's proposals. The late Nehru inaugurated the Panchayati Raj Institution measure in Rajasthan on October 2, 1959 in impressive ceremony at Nagar (Dayal, 1970:26).

The Mehta committee was followed by K.Santhanam (1963) to examine the issue of Panchayati Raj Institution. The committee observed since 1957, the functioning of Panchayati Raj Institution was marked with various short coming and the desired result could not be achieved. The people's participation in the activities of the PRIs was limited. They did not identify themselves with these institutions, and even panchayats did not make attempts to ensure their involvement in decision –making process. Many panchayats were superseded and election were not held for many year's. Rather, the whole process of development through panchayats gave an opportunity to the rural elites to emerge as center of power, and there usually was an alliance between local representative and government functionaries at the local levels. It further discouraged the rural women and other disadvantaged groups for meaningful participation in decision making and implementation process. Also, the state government and the local

political elites did not make positive steps to strengthen these local institutions (Gupta, 2004:29).

The establishment of first ever non-congress government at the centre in 1977 decided to a belief in a polity that ensure decentralization of economic and political power provided yet another opportunity for re-invigoration of Panchayati Raj Institution in India (Mathur, 1981:169-170). The committee on Panchayati Raj Institution was appointed by the Government of India in 1978, with Shri Ashok Mehta as its chairman to enquire into the working of Panchayati Raj Institution and to suggest measures to strengthen them so as to enable a decentralized system of planning and development to be effective. The terms of reference of the committee, inter alia required it to examine the working of Panchayati Raj Institution in regard to mobilization of resources as to plan and implementation of the scheme for the rural development in an objective and optimal manner, and in looking after the participation of women and other weaker sections of the society (Shukla, 1981:194). The committee took a keen note of the number's of changes in the Panchayati Raj Institution that has been unfolding during the past two three decades. The story and ups and down of Panchayati Raj Institution was well brought out by the Ashoka Mehta committee in (1978) when it identified three phase in the life of

Panchayati Raj Institution starting from its inception till 1977: the phase of ascendancy from October 2, 1959, to 1964, the phase of stagnation from 1965 to 1969 and the phase of decline 1969 to 1977. After 1977, the decline was even more rapid for these sorry pass, three arguments could be put forward: First, the Panchayati Raj Institution collapsed due to the weight of its own inner contradiction; second, the system was inherently sound but became emaciated because of certain condition beyond anyone's control. Third, the ruling elite deliberately 'killed' it (Mathew, 1994:3-4).

If we look at the first time phase (1959-64) all the states had passed Panchayati Raj Acts, and by the mid 1960's Panchayati Raj had reached all parts of the country. There was an enthusiasm in rural India and a feeling gripped that the people that they had a say in the decision making affairs which had effecting their daily lives. Those were the promising days of Panchayati Raj Institution in India. There was a younger and better leadership was emerging through Panchayati Raj Institution and there was a fairly high degree of satisfaction among the people with their working (Mathew, 1994:8-9). This enabled a large number of people to acquire leadership at the local levels because, in the earlier traditional socio political set up they had no access to the political and administrative organs. It was also felt that the conferring

of power on the people's representatives had improved the attendance of teacher's in the primary schools while block administration had become more responsive. People voiced their grievance before the Pradhans and got relief through them, and above all petty corruption, both among the subordinate staff as well as among the newly elected leaders, had declined, the former because the block staff had come under the Panchayat Samiti and the latter because the public reputation of the Pradhan was crucial for them to get re-elected (Mathew, 1994:9-10).

The rejoicing of the people was short-lived, After Nehru's death in which political leaders were determined to end the threat to their leadership from the village, mandal or district leadership. They paid only lip services to the panchayats. The bureaucracy in alliance with local leader state and central level politician began to discredit the new system of highlighting its shortcoming. It saw in these local bodies the domination by the upper or dominant castes, corruption and total inaptitude. In the third phase 1964-1977 for about thirteen years after Nehru's death from 1964 to 1977, Panchayati Raj Institution remained the whipping boy of all those who wanted to discredit the decentralization of power. This phase marked a sharp decline in Panchayati Raj Institution (Mathew, 1994:15).

In view of this decline in 1985 G. V. K. Rao committee appointed by the Planning Commission to review the existing administrative arrangements for rural development, strongly recommended the revival of PRIs so that greater responsibilities of the planning, implementation and monitoring of the rural development program could be assigned to them. It had to encompass all economic and social development activities handled by the different agencies at the field level. Panchayati Raj Institution should activated and given the necessary support so that they can become effective organization for handling local development. The committee also suggested that the election to the local bodies should hold regularly. The Rao committee was followed by the Dr.L.M Singhyi committee; it was constituted by the Government of India, Dept of Rural Development in June 1986. The committee suggested that it considered the constitution of Gram Sabha for encouraging democracy at the grassroots level and also recommended that the PRIs should be constitutionally recognized, protected and preserved. It also suggested constitution provision to ensure regular free and fair election to the PRIs (Gupta, 2001:31-32).

PRIs after 73rd Constitutional Amendment, 1992-93, the rationale for the Constitutional Amendment was that though the PRIs have been in existence for a long time, these have not been able to

acquire the status and dignity of viable and responsive people's bodies. Most states had not been serious in maintaining these institutions and providing them continuity and durability. In general, these institutions were denied resources, responsibilities and power and election to these bodies were not held for years under some pretext or the other. Constitutional status to these bodies was, therefore, considered as the only way to sustain the decentralization process in totality.

The salient features of the 73rd amendment are:-

1. The Act defines panchayat to mean institution of Self Government to which State Legislatures are required by law to endow powers and authority as are necessary to enable them to function as such. It also provides that such law may contain provision for the devolution of powers and responsibilities upon panchayat at the appropriate level with respect to:-

- (a) Preparation of plans for economic development and social justice;
- (b) Implementation of scheme of economic development and social justice, as may be entrusted to them in relation to matters included in the XI schedule. This schedule contains 29 items such as agriculture, land improvement, soil-conservation, fisheries etc.

2. The Amendment contain only the minimum possible mandatory provision to restrict the freedom of the state in their dealing with Panchayati Raj. Such mandatory provision include :-

(a) A three tier structure of panchayat with the exception of the state having population of not exceeding 20 lakh has been given the option of not having any panchayat at the intermediate level.

(b) Direct election of members of the panchayats at all levels, but the election of post of chairman at the intermediate and district level will be indirect. The mode of elections of chairman to the village level has been left to the State Government to decline.

(c) A uniform term of five years has been provided for the PRIs and in the event of their suppression, election to constitute the body should be completed before the expiry of six months for the date of dissolution.

(d) Reservation of seats of SCs / STs has been provided in proportion to their population at the each level. Not less than one third of the total membership has been reserved for women and these seats may be allotted by rotation to different

constituencies in a panchayat. Similar reservation has been made in respect of the office of the chairman also.

(e) The state legislature have been given the power to authorize the panchayats to levy, collect appropriate suitable local taxes and also provides for making grants in –aid to the panchayats from the consolidating fund of the concerned state.

(f) A finance commission to be constituted once in every five years to review the financial position of the panchayats and to make suitable recommendation to the state on the distribution of funds between the state and local bodies.

(g) Conduct of local elections by an independent state level election commission.

(h) With a view to ensuring continuity, it has been provided that all the panchayats existing immediately before the commencement of this amendment will continue till the expiry of their duration unless dissolved by a resolution to that effect passed by the state legislature..

(i) The state legislature would bring in necessary Amendment to their panchayats Acts within a maximum period of one year: 23rd April, 1994 (Singh, 2002:79-81).

Chapter-IV

HISTORY OF PRIS IN BIHAR

In the last days of the British rule, the provincial congress Government under the overall leadership of Mahatma Gandhi decided to take advantage of the provincial autonomy by creating statutory panchayats in the state in 1937. However, it could finally take shape after independence, the Bihar Government enacted the Bihar Panchayati Raj Act 1947, and it was implemented throughout the state in the following years. The aims and objectives of the legislation noted that the act was enacted to establish local self government in the rural communities so that they could work their social and economic development. The legislation was according to the provision in article 40 of the constitution enacted a few years after the enactment of the Bihar Panchayati Raj Act 1947. This Act assigned the village panchayats some executive functions of implementing development programmes and power of trying and deciding minor civil and criminal cases. Bihar, thus, has the distinction of being one of the first states of India to enact a formal legislation on Panchayats. (Dutta, 2004:49 and Kumar, 2007:50).

Bihar, like many other states elected these Panchayats but only at the village level. A three – tier Panchayati Raj system was enacted in the country following the recommendation of the Balwantry Mehta Committee in 1958. Not to be left behind, Bihar also legislated its

Panchayat Samiti and Zila Parishad Act 1961 and created only two new units of rural local Government - Panchayat Samiti and Zila Parishad – the primary unit, the village Panchayat being already in operation since 1948. Bihar embarked on its journey towards greater decentralization with these two acts. (Ghosh, 2001:1681 and Kumar, 2007:52).

Only halfhearted attempts were made to implement the Panchayati Raj Institution in the state. It took two years for the state Government to draft a bill on the lines suggested by the Mehta team and another three years to have the law passed by the legislature and consented to by the governor. The implementation of the Bihar Panchayat Samitis and Zila Parishad act 1961 even in the few districts was delayed for about three more years. It took nearly two decades to enforce it throughout the state. The Panchayat Samiti and Zila Parishad were installed initially in the two districts of Ranchi and Bhagalpur in 1964 and in the same year the Government issued an ordinance for the postponement of the act of 1961. However, in 1965 Dhanbad was also covered by PRIs. The entire 14 district remained under district boards managed by the officials. In 1973 the PRIs were set up further in five districts of Santhal Parganas Giridih, Palamu, Hazaribagh, and Singhbhum. It was not before early eighties that all districts could be

covered by the PRIs.s Thus the Panchayats Samitis and Zila Parishad took a long time to be established in all the districts and could, in fact, never get institutionalized in the true sense of the term as properly functional institution. Hardly ever did the three tier functioned simultaneously in any district (Kumar, 2007: 53 - 54).

The Panchayat elections were held in 1978, at the initiative of Karpoori Thakur, then chief minister of Bihar. The Panchayat elections of 1978 marked a shift in political power from the upper caste to the backward castes. Karpoori Thakur had implemented the Mungeri Lal Commission Report which entailed reservation in the states Government jobs for the backward caste (annexure I castes) and (annexure II caste) in Bihar. After the implementation of the report, the whole states got engulfed in agitation either in favor of reservation by backward castes or against the reservation by upper castes. The politics of Bihar has completely changed since then. There were two immediate results-firstly, the backward castes got political power for the first time, and they got the distinct identity. Secondly, most political parties got split vertically on the basis of the social divide between backward castes and upper caste. In this Karpoori Thakur was able to mix reservation with Panchayat elections. In the absence of full political support at the state level, He had opted for decentralization by

giving power to the backward castes. Thus he was able to strengthen his position at the state level by getting political support from the backward castes belonging to many political parties (Gupta, 2001:2742).

In Bihar, the process of decentralization of power stopped after 1983 but the process of giving power to the backward castes could not be stopped. By the time Laloo Prasad came to power in the wake of the Mandal Commission, the electoral empowerment of the backward castes had taken place. While political insecurity had made Thakoor hasten the process of decentralization, Laloo Prasad could afford to ignore it because of his relative social and political stability which he derived from the support of the backward castes. He was politically more engaged with the implications of the collapse of the upper castes power in the 1990 assembly elections. The subsequent election of 1995 and 2000 further strengthen his political support. He could not afford to weaken his position by the decentralization of power which could strengthen the powerful upper castes in rural areas (Gupta, 2001:2742).

Once the tenure of the elected Gram Panchayat came to an end in 1983, the Bihar government took recourse to promulgate ordinances to give new lease of life to its PRIs. Through this novel devices, the successive Government of Bihar went on extending tenure of mukhiyas

and pramukh after every six month by re-promulgating the same ordinances. Earlier, Bihar had already earned the infamy for its rule through ordinances but not contended with this dubious distinction the state continued with this pattern of decentralization through ordinances for more than 15 years (Ghose, 2001:1681). During this period a large number of mukhiyas grew old and died. In their place were brought a new type of mukhiyas – nominated by directorate of Panchayat, Patna. In fact, this task of nominating mukhiyas became the fulltime job of one of the deputy directors otherwise in-charge of the panchayat election at the directorate. Most importantly, all through this period, a few seats in the legislative council (upper house of the Bihar assembly) reserved for the legislature indirectly elected by an electoral college comprising elected members of both the panchayat and municipal bodies, remained vacant. Such a flagrant violation of the constitution never became an issue for the political class in Bihar. After all, the continuation of the panchayats was a precondition for receiving the rural development funds from the union ministry of rural development, particularly under the Jawahar Rojgar Yojna whose quantum, since 1985 onwards has increased with every budget (Ghose, 2001:1681).

Since there was no participation of all section of the society like weaker sections and women in Panchayats up to 1980s, a large section of the people remained deprived of benefits of development. In view of this parliament enacted 73rd Constitutional Amendment in which there was reservation of seats for women and other weaker section. All the states governments were directed to implement provisions of the 73rd Constitutional Amendment in their states with immediate effect. Following the directives of the Central Government the Bihar Government enacted the Bihar Panchayati Raj Act, 1993 (Dutta,2004:50).The new Bihar Panchayati Raj Act 1993 implemented by the Bihar Government throughout the state an order issued by the Panchayati Raj directorate. This new act repealed the old Panchayati Raj Act 1947 and the Bihar Panchayat Samiti and Zila Parishad Act 1961. It has the advantage the consolidating the two acts into one (Matthew, 2000:82).

The act seeks to strengthen the Gram Sabha¹ so that its meetings have to be held every three months. It would consider and look into the statements of accounts, audit report, budgets development program and the reports of the vigilance committees but will not approve them. Vigilance Committees are to be created by the Gram Sabha from the members outside the panchayat, and through these committees the

Gram Sabha may control and play a useful role in panchayat activities. The act provides for direct election of mukhia and other Panchayat members. The election of member of Panchayat Samiti² and Zila³ Parishad is also direct, but the election of the block Pramukhs and Zila Adhyaksha is indirect. The act reserves one third seats for women. This includes one third of SCs / STs / BCs seats the number of which is determined in proportion of the population belonging to these categories in the area. The same ratio would prevail in Samitis and Parishad while the ratio of Mukhias, Pramukh and Adhyaksha would also be the same, as these posts are also reserved in the same way the reserved seats would be allotted on the basis of rotation (Matthew, 2000:83).

The new act has provision in section 157 (f) the existing Panchayats will continue to function as per new act till election to the Panchayat are held. The state government took benefit of this lacuna and silence of the 73rd Amendment to the Constitution of India regarding the first election after the enactment of States Panchayati Raj laws to put off election to the Panchayats. While elections were held twice in almost all the states, in Bihar the first election could not take place till April, 2001. Delimitation of the Panchayat was first issue and the state government referred the case to the State Election

Commission. The real problem however cropped up on the issue of reservation. Though the constitution has provision for the reservation of posts for the SCs and STs, it is silent reservation of posts for Backwards Classes and has left this to the discretion of State. Accordingly, Bihar legislature passed a law to fix quota for the Backward Classes. This infuriated a section of society and they moved to the Patna High Court with a petition. After lengthy hearing the Patna High Court ruled on March 18, 1996, that single post like Mukhiya, Sarpanch, Pramukh and Adhyakhsha would not be reserved. It also ruled that reservation would not exceed 50 per cent of the total seats in different tiers of Panchayats. It was against this decision that the Bihar Government filed a petition in the Supreme Court. On February 24, 1997 the bench of judges hearing the case dissolved the Panchayat for which the elections were held in 1978. It vested the work of Gram Panchayat on Gram Sewaks and that of Panchayat Samiti on Block Development Officers. On July 22, 1997 the Supreme Court bench ruled that no election could be held till it gave the verdict. This created a peculiar situation as funds for rural development continue to lapse. The Central Rural Development Secretary made it clear that no fund would be allocated till elections were held. Meanwhile, another case was filed by the Panchayat Parishad, a network of Mukhiyas of the state, over the delay on ruling. After the Panchayat Bachao Abhiyan

was formed with a view to fighting the cause of the people who had been deprived of their rights. To press the point further the various social organizations of the state launched a signature and postcard campaign. Their target was to collect one lakh signatures. The post cards were addressed to Supreme Court and a copy of each was sent to the president the Prime Minister, the Chief Minister and the State Election Commission. In another development the Rural Development Minister announced in July 1998 in the State Legislative Assembly that the government would hold Panchayat election in the state only after the Supreme Court disposed of the petition challenged the Patna High Court order striking down certain provision of reservation in the Bihar Panchayati Raj Act, 1993. On March 28, 1999, activist of the Bihar Pradesh Lok Samiti and the Manav Jodo Abhiyan decided to organize *dharna* at all the district headquarters on April 8 to mount pressure on the government to hold Panchayat election at the earliest. Due to joint effort of several NGOs *Panchayat bachao abhiyan* and several activists the Patna High Court ordered the Bihar government announced that it would hold election to panchayats and local bodies in February 2001. But the High Court order put the State Government in a fix as it ruled out any reservation for single posts. Thus, it kept post of Mukhiyas and Sarpanch at the Gram Panchayat level, Pramukh at the Block level and Adhyaksha at the District level out of ambit of

reservation. Besides it directed the government to keep the reservation within 50 percent. Then government decided to make suitable amendment in the Panchayati Raj Act, 1993. After the amendment it took several months and lastly panchayat election took place in April 2001 (Dutta, 2004:52).

The Panchayat election could not be avoided due to the intervention of the Patna High Court. The broad results of the election largely conform to the social and political trends in Bihar since the last panchayat election in 1978 which had gradually strengthen the hold of the backward castes on the states political power structure. The 2001 panchayat election will go down in the history of Bihar as turning point for the electoral empowerment of the backward castes. Till recently, they were not given political and social importance although they constitute more than 33 per cent of the total population. In these panchayat elections, however, they have decisively established their identity. Not only they emerged as chairman of Zila parishad, but a large number of them have been elected either as mukhiyas or as a member of the Zila Parishads (Gupta, 2001:2743).

Besides backward castes, even the schedule castes candidates have performed well in panchayat elections. A number of schedule castes members have got elected from the flaming fields of south Bihar

plain, the most developed part of the state- the very area where they had to face the main burnt of the atrocities from the upper castes armed outfits, like Ranveer Sena. The panchayat elections have shown the heightened awareness of the schedule castes. About 1.6 percent of the total number of mukhiays is from the schedule castes and they all got elected in direct contest. They were not given the luxury of reservation (Gupta, 2001:2744). Thus there is due representation of the backward castes and scheduled castes in PRIs in Bihar. They have been elected as members as well as mukhiyas and chairman of Zila Parishad. There is empowerment of the backward castes and schedule castes in Bihar in PRIs. The Muslim community in Bihar can be considered to be empowered if it gets due representation in Parliament, state legislature and PRIs. It is also necessary for the Muslim community to participate in decision making in these bodies as members and in position such as mukhiays and chairman's. The empowerment of Muslim communities in this way can lead to its socio-economic development.

GRAM PANCHAYAT¹

The District Magistrate declares the area of Gram Panchayat. The population of G.P. is normally 7000. The President of G.P. (Mukhiya) to be elected directly. The Vice President (Up- Mukhiya) to be elected or selected among the elected members of G.P.

Function of G.P.

Function and powers of Gram panchayat

1. Preparation of annual plans for the development of the Panchayat area.
2. Preparation of annual budget.
3. Power for mobilizing relief in natural calamities.
4. Removal of encroachment on public properties.
5. Organizing voluntary labour and contribution for community works.
6. Maintenance of essentials of Gram Panchayat
7. Agriculture including Agriculture extension.
8. Animal Husbandry, Dairy and Poultry.
9. Fisheries.
10. Social and Farm forestry, Minor Forestry Produce, Fuels and Fodder
11. Khadi Village and Cottage Industries
12. Rural Housing
13. Drinking Water

14.Roads, Building, Culverts, Bridges, Ferries, Waterways other means of communication.

15.None- Conventional Energy Source.

16.Rural Electrification.

17.Poverty Alleviation Programs.

18.Education including primary secondary schools.

19.Libraries.

20.Cultural Activities.

21.Public Health and Family Welfare.

22.Women and Child Development.

23.Welfare of weaker sections and in particular the scheduled castes and scheduled tribes.

24.Public Distribution System (PDS).

25.Construction and maintenances of Cattle Sheds, Pounds and Cart Stands.

Assigned function

According to Act, Government may transfer the management and maintenance of forest situated in the Panchayat area, management of wasteland, grassing lands or vacant land “belonging to the

Government” collection of land revenue “on the behalf of the Government” and the maintenance of such records.

Standing Committee

Every G.P. shall constitute the following three Committees by election of selection These Committees are:

- Production committee.
- Social justice committee.
- Amenities committee.

Each Committee shall consist of not less than three and not more than five members. The President shall be an ex –officio chair person of all the three committees. The Social Justice Committee shall include at least one women member and one SC. However, the G.P. has power to revise or modify any decision of these committees.

Taxation Power of G.P.

The G.P. may impost yearly tax on the following:

- House tax
- On Professional, trade, etc.

The G.P. can also realize the following fees

- Fees on registration on vehicles.

- Fee for providing sanitary arrangement at such places of pilgrimages, fares and means.
- Water tax
- Lighting fee
- Conservancy tax

The G.P. can make Bye- law

The G.P. has the power to make bye –laws with the approval of Z.P.

G.P. to prepare annual budget.

The G.P. shall prepare annual budget of its estimated receipt and disbursement for the following year and shall get approved in its meeting by a majority of its members present.

Staff of G.P.

According to Act each G.P. shall have a Government appointed secretary.

Power of Government to dissolved and reconstitutes Panchayats

The Government by an order published in the officials Gazette, dissolve a Gram Panchayat on the ground that its area has been altered

and its need to be constituted a fresh. This clearly shows the powerful role of the State Government has in the G.P.

PANCHAYAT SAMITI² (PS)

For every development Block there shall be a Panchayat Samiti. It shall consist of directly elected members, each member representing a population of approximately 5,000. The elected member of the PS shall elect/select two members from among themselves as its President (Pramukh) and Vice President (Up- Pramukh). The P S shall meet at least once in every two months. Half of the total number of the members shall form the quorum for the ordinary meetings.

Besides the directly elected members, the PS also has G P president under their PS, MP, MLA and MLC of their areas are the ex-officio members.

Function of PS

According to Act PS has been assigned twenty seven functions. But this assignment of the functions is subject to such conditions as may be prescribed by the government from time to time. This clearly shows that government control over the PS.

Function and powers of Panchayat Samiti

1. Subject to such conditions as may be prescribed by the Government, from time to time, the P S's shall undertake the following:

(I) Preparation of annual plans in respect of the schemes entrusted to it by virtue of act and these assigned to it by the Government or the Z.P. and submission thereof within the prescribed time for integration with the District Plan.

(II) Consideration and consolidation of the annual plans of all Gram Panchayats in P.S. and submission of the consolidated plans to the Z.P.

(III) Preparation of annual budget of the Panchayat Samiti and submission of the consolidated plan to the Zila Parishad.

(IV) Performing such functions and executing such may be entrusted to it by the Government or the Z.P.

2. Agriculture including agriculture extension.

3. Land improvement and soil conservation.

4. Minor irrigation, water management and watershed development.

5. Poverty alleviation program.

6. Animal husbandry, dairying and poultry.

7. Fisheries.

8. Khadi, village and cottage industries.
9. Rural Housing.
10. Drinking Water.
11. Social and Form Forestry, Minor Forest Produce, Fuel and Fodder.
12. Roads, building bridge ferries waterways and other means of communication.
13. Non Conventional energy sources.
14. Education including primary and secondary schools.
15. Technical training and vocational education.
16. Adult and non formal education.
17. Cultural Activities.
18. Markets and Fairs.
19. Health and Family Welfare.
20. Women and Child Development.
21. Social Welfare including welfare of the handicapped and mentally retarded.
22. Welfare of the weaker sections and in particular of the SCs and STs.
23. Maintenance of community assets.

24. Public distribution system.

25. Co-operation.

26. Rural electrification.

27. Libraries.

Standing committee

The PS shall have the three Standing Committees. These are:

- General standing committee.
- Finance, Audit and Planning Committee.
- Social Justice Committee.

The President and Vice President are the member of each committee while Executive Officer of P.S (Block Development Officer) shall be the ex-officio secretary of all the standing committee, the functioning of these committees shall follow the Guidelines laid down by the “Government from time to time”. Therefore, these committee are not really empowered to take their own decisions.

Executive officer

The Government shall appoint an officer not below the rank of the Deputy Collector as the executive officer of the PS.

The Executive Officer among other work “supervises and control” the executive of all works of PS.

Taxation power

The PS can levy tolls in respect of any ferry established by it or under its management. The PS can also levy the following fees:

- Fee on the registration vehicles.
- Fee for the providing sanitary arrangements.
- Fee for license of a market.
- Water rate.
- Light up rate.

Budget of PS

Every PS shall prepare in each year a budget of its estimated receipt and disbursement for the following year and shall get approved in its meeting by a majority member present.

THE ZILA PARISHAD³ (ZP)

For each district there shall be a Z.P. having jurisdiction of entire district excluding urban areas included in a Municipality or Municipal Corporation.

Corporation of Z.P

The ZP consist of directly elected member all President of PS Local MP, MLAs, MLCs .Each of 50,000 population elects a ZP members.

The elected members of the ZP elect/select president (Adhyaksha) and Vice President (Upadhyaksha).

The ZP shall meet at least once in three months.

Function of Z.P

The ZP is to make plans for economic development and promotion of social justice in the district and ensure co-ordinated implementation of such plans. According to Act, the ZP assigned twenty four functions.

Normally district magistrate (D M) is the Chief Executive officer of ZP .The Chief Planning Officer and the Chief Accounts Officer of the Z.P. shall be appointed by the Government and shall be drawn from the All India Services.

Function and power of Z.P

It shall be the function of a ZP to prepare plans for economic development and social justice of the district and to ensure the co ordinate implementation of such plans those enumerated below:

- 1 Agriculture

- 2 Irrigation, ground water recourses and watershed development
- 3 Horticulture.
- 4 Statistics.
- 5 Rural Electrification
- 6 Distribution of essential commodities.
- 7 Social Forestry.
- 8 Horticulture.
- 9 Soil Conservation.
- 10 Animal Husbandry and Diary.
- 11 Minor Forest Produce, Fuel, Fodder.
- 12 Fisheries.
- 13 Household and small scale industries.
- 14 Health and Hygiene.
- 15 Education.
- 16 Poverty Alleviation Programs.
- 17 Social reform activities.

Standing committee at the Z.P Level

There are provisions of five standing committees in Z.P. these are:

- A General Standing Committee
- A Finance Audit and Planning Committee
- A Social Justice Committee
- An Education and Health Committee
- An Agriculture and Industries Committee.

The Z.P. president is the Chairperson of the general and finance committee. Chief Executive Officer is the ex- officio secretary of all standing committees.

Budget

Every Z.P shall prepare in each year a budget of its estimated receipt and disbursement for the following year and the same to be passed by the majority of the members present.

Taxation

“Based on the Government prescription” Z.P may levy tolls in respect of any ferry established by it or under its management. Also levy the following:

- Fees on the registration of boats or vehicles.
- A fee for providing sanitary arrangements.

- A fee for license for fair or mela.
- A lighting rate.
- Water rate.

At each tier there are reservation of seats for women and backward classes. However, G P. President from the constitution provision.

Chapter-V

NEED FOR EMPOWERMENT OF MUSLIMS THROUGH PRIS

Education attainment and economic participation are universally regarded as a basis for individual and group empowerment. This means that individuals and groups facing educational and economic deprivation are in need of empowerment. For such individuals and groups, it is empowerment which is the key to their educational and economic development. It will be seen that the Muslims are an educationally and economically deprived community and so the only way for the development of the community is through its participation in decision making bodies such as parliament, legislature and Panchayati Raj institution. It will be further seen that the participation of the Muslims in parliament and in state legislature is low and not in proportion to their population. Therefore, it is necessary to see extent of the participation of Muslims in PRIs because empowerment of the community at the grassroots is necessary for its educational and economic development. This has become imperative because, as was seen in the last chapter.

Educational Deprivation of the Muslim Community

The role of the economy in facilitating social and economic development accepted today. Improvements in the functional and analytical ability of children and youth through education open up opportunities leading to both individual and group empowerment.

Muslims are at a double disadvantage with low levels of education combined with low quality of education. Their deprivation increases manifold as the level of education rises (SCR, 2006:49 50). Despite over all improvement in educational status, the rate of progress has been the slowest for Muslims. In other words, while educational attainments of Muslims has improved over period of years, it has done so at a more gradual pace than other Socio religious categories so that the expected convergence has not occurred. Instead, the gap between Muslims and advantaged section actually widened since independences and particularly since the 1980s. At the time of independence, the socio-economic position of SCs and STs was recognized to be inferior to that of Muslims. Apparently, Muslim has not been able to reap the benefit of planning and have gradually slipped further and further behind other Socio Religious Categories. (SCR, 2006:50 51 52).

The most commonly used estimate of educational development is literacy which in the census. Just about 65.1 % of India's population is literate. Literacy levels are expectedly higher for males 75.3% and for females 53.7% .literacy is also higher in urban areas 79.9% than in rural areas 58.7%. This gap of about 20 %. Point between rural and urban areas and across gender has been a persistent feature of Indian society over the last two decades despite the increase in literacy levels

during this period. The literacy rates among the Muslim's in 2001 was 59.1%. This is far below the national average 65.1%. In urban areas literacy is lower for Muslims 70.1% than the national average (79.9%) and in rural areas literacy is 52.7% for Muslims which is also below the national average (58.7 %). Muslims women with a literacy level of 50% have been able to keep with women with other communities and are much ahead of the SCs and STs Women in rural India.

On an average a child goes to school for only four years. The mean year of schooling of Muslims is the lowest (about three years four months).A comparison across socio religious categories, both by gender and place of residence also reveals consistently lower levels of mean year schooling for the Muslims community. In 1999-00, Muslim had the lowest enrolment rate among all socio religious categories except SCs and STs and this rate was 78 % of the average enrolment rates for the population as a whole (SCR,2006:56 57). As many as 25 % of Muslim children in the 6-14 year group have either never attend school or have dropped out .this is higher than that of any other Socio Religious Categories. The incident of dropouts is also high among Muslims and only SCs and STs have a marginally high dropout rate than Muslim (SCR, 2006:58).

In general, differential in school education attainment across the Socio Religious Categories are significant in both in rural and urban areas. Typically, the attainment levels of Muslims are closer to slightly higher than those of SCs and STs. However, in the aggregate, the attainment levels of Muslims in rural areas are often lower than those of SCs and STs. This is essentially because the educational attainments of Muslim women in rural areas are lower than those of SCs and STs Women. While 26% of that 17 year and above have completed matriculation, this percentage is only 17 % amongst Muslims. As was the case for literacy, even at the matriculation levels, expansion of educational opportunities since independence has not led to a convergence of attainment levels between Muslims and all others (SCR, 2006:59 60).

The first striking feature is that the probability of completing different levels of school education (primary, middle, secondary etc) has increased for all communities during 1983-2000. The sharpest rise has been in the probability of completing middle school for all communities including Muslims. But differences still exist and the Muslims and SCs and STs are behind other on an average based on four year data, about 62% of the eligible children in the upper caste Hindu and other religious groups (excluding Muslims) are likely to

complete primary education followed by the Muslims (44%) SCs (39%) and STs (32%). However, once children complete primary education the proportion of children completing middle school is the same (65%) for Muslims, SCs and STs but lower than all others (75%). Interestingly in the transition from secondary to college education, Muslim perform somewhat better than SCs and STs, while only 23% of SCs and STs student who complete secondary are likely to complete college education. This percentage is 26% for Muslims and 34% for other groups (SCR, 2006:62).

In India, a significant proportion of the relevant population still remains deprived of the benefit of higher education, and the Muslim comprises of an important category of the deprived communities according to census data. While only about 7 percent of the population aged 20 years and above is graduate or hold diploma, this proportion is less than 4 percent amongst Muslims. Besides, those having technical education at the appropriate ages (18 years and above) are as low as one percent and amongst Muslims, that is almost non-existent (SCR, 2006:64-65).

The SCs and STs and Muslims are the most disadvantaged as their respective shares are much lower than their share in the population in the case of Muslims their share in graduates 6 % while

their share in populating aged 20 years and above is about double at over 11%. In the case of Muslim the attainment is less than half compared to all others and the gape is much more prominent in urban areas for both man and women. But what is certain is a widening gap between Muslim man and women compared with all others, and an almost certain possibilities that Muslims will for behind even as SCs and STs if the trend is not reversed (SCR, 2006:65 66).

The Muslims are educationally deprived community of Bihar. The Bihar has lowest literacy rate 47.53 % among all states of India and union territories. The rural literacy of Bihar is 43.92 % and urban literacy rate of Bihar is 71.93 %. The male literacy of Bihar is 59.68 % and female literacy of Bihar is 33.12 %. The Hindu literacy rate is 47.9 %. The male literacy rate of the Hindu is 61.2 % and female literacy rate of the Hindu is 33.4 %. The rural literacy rate of the Hindu is 30.5 % and urban literacy rate of the Hindu is 44.28 %. The Muslims have only 42 % literacy rate which is far below the Hindu literacy rate (47.9%) and Bihar average 47.53%. The male literacy rate of Muslim is 51.8 % and female literacy rate of Muslim is 31.5 % which is far below the state average for male (59.68%) and for female (33.12%). The rural literacy rate of Muslim is 38.68% and urban literacy rate of

Muslim is 64.34 % which is below the state average for rural (43.92%) and urban (71.93%) according to 2001 census.

Economic Deprivation of Muslims Community

Economic participation is the key to empowerment. Availability of work provides and communities with the opportunities to participate in the exercise of power. Broadly, worker population rates provide an idea of extent of participation of economic activity by a specific population. Worker population ratios for Muslims are especially lower than for all other Socio Religious Categories in the rural areas but only marginally lower in urban areas .The low aggregate work participation ratios for Muslims are essentially due to much lower participation ratios for Muslims are essentially due to much lower participation in economic activity by women in the community. Unemployment rates reflect person's available for and seeking employment as a proportion of the labour force. Unemployment rates are slightly higher for all Muslims than for all Hindus but these are differences within each group. In general, within the Hindus, unemployment rates are lower for high castes Hindus than others especially the SCs and STs Population. Unemployment rates among Muslims (male, female rural urban) are lower than SCs and STs but higher than Hindu UCs. They are also higher than Hindu OBCs except in urban areas. The most striking

feature is the relatively high share of Muslim workers engaged in self – employment activity. This is particularly true in urban areas and for women workers. (SCR, 2006:87 - 91).

As employees, Muslims generally work as casual labourers.in the case of SCs and STs Workers. The participation of Muslim workers in salaried jobs (both in the public and private sector) is quite low. In the aggregate while 25 percent of Hindus UCs workers are engaged in regular jobs, only about 13 percent of Muslim workers are engaged in such job. The situation of SCs and STs Worker is no better .lack of access to regular jobs, especially in the public sector has been a general concern among the Muslim population. The condition of the Muslims with respect to regular jobs does not seem very different from those of OBCs and SCs and ST Hindu. However, distribution by activity status of workers in urban areas brings out sharply that participation of Muslims in regular job's is quite limited as compared to even the traditionally disadvantaged SCs and STs. only about 27percent of the Muslim workers in urban areas are engaged in regular work while the share of such workers among SCs, STs and OBCs and Hindu UCs workers is 40, 36 and 49 percent respectively. Regular jobs in large enterprises however are more than stable and lucrative. Less than 24 percent of Muslim regular workers are employed in the public sector or

in government jobs. this proportion is much higher for other Socio Religious Categories, while about 39 percent of regular SCs and STs workers are engaged in such jobs the share for Hindu UCs and Hindu OBC workers is 37 and 30 percent respectively, the shares of regular jobs in the large private enterprises (private and public limited) shows a similar pattern with Muslims having the lowest share, save Hindu SCs and STs Workers. These differences are sharper in urban areas with a relatively much lower proportion of Muslim workers engaged in such jobs (SCR-2006 92 - 94).

Participation of Muslim workers in agricultural activities is much lower than the workers of all other Socio Religious Categories. In addition, the participation of Muslim male workers is some what higher then others in the manufacture of fabricated metal products (except machinery and equipment).Among non manufacturing industries, land transports and retail trade (especially for male) are activities where a larger proportion of Muslim workers are located than workers of other Socio Religious Categories. The shares of Muslims in the total workers engaged in the tobacco and textile /garment related industries are quite significant. More than 41 percent of the male workers engaged in the manufacture of tobacco products are Muslims, the share of the Muslim women in this sectors is 35 percent .30 percent

Muslim male workers are engaged in the manufacture of garments, wearing apparel etc. And Muslim women worker is 17 percent (SRC, 2006:99). Muslim participation is lower in professional, technical, clerically and managerial work. In proportion to their population, Muslims are relatively much fewer in the formal sector, in both public and private sector employment which provide some measure of social security, status and power (Shah, 2007:838).

One can summarize that in general Muslim men and women are in inferior jobs and they have poor human and economic status, widespread illiteracy, low income and irregular employment are characteristic of India Muslims implying the by a high incidence of poverty relative to other social group in India. India (Sheriff and Azam-2004:8- 9). Over all 22.75% of India's population was poor 2004 -05 in absolute numbers. This amount to over 251 million people spread across India. The SCs and STs together are the most poor with a Head Count Ratio of 35% followed by the Muslim who record the second highest incidence of poverty with 31% People below the poverty line. The Hindu general is the least poor categories with an HCR of only 8.7 %.and OBCs hold the intermediary level of HCR of 21%, which is also close to the all India average. (SC, 2006:157 -158).

Muslims tend to be relatively more vulnerable in terms of conditions of work as their concentration in informal sector employment is higher and their jobs condition even among regular workers are less for Muslims than those of other Socio Religious Categories (SCR,2006:106). Poor socio economic condition, lower education lack of access to health care services, low income and so on amongst Muslims (Sheriff and Azam, 2004:16). The Gopal Singh Commission during 1980s found that the economic condition of Muslims was even worse compared with socially deprived SCs (Sheriff and Azam, 2004:27). Muslim were deprived of benefit of developmental schemes which Government launched for ameliorating conditions of poor and marginalized section of the society and their marginalized status is not merely confirmed by individual researcher and surveys of voluntary organizations but also committees of Government (Waheed,2007:1). But the Government agencies appear to be indifferent and discriminatory towards them.

In the light of previous data and information, Beg has given some understanding of the structure of Muslim employment which has the following salient features:

- A. Muslim has negligible presence in the public and private corporate sector both as managers and workers and also as capital subscribers.
- B. Muslim has nominal presence in the small scale and cottage organized sector, though they have been pioneers in the handicrafts and artisanship.
- C. In agriculture, proper and allied activities Muslims have very nominal presence,
- D. So far as, the tertiary public sector is concerned , Muslim have nominal presence in Government administrative, police and defense services and more or less no share in financial and banking institution. However, in the private services sector, such as transportation, repairing and other community services, Muslims have an unduly high percentage.
- E. It is a common observation that the bulk of the Muslim workforce is self –employed in the unorganized sector, constituting a fairly high majority of construction labour, rickshaw pullers, cart pullers, horse cart pullers, coolies, barbers, footpath hawker's, tailors, carpenters, mechanics,

fitters, electricians, welders & petty shopkeepers (Beg, 2004:124).

Need for Empowerment of the Muslim Community:

Educational and economic deprivation of the Muslim is mainly due to the fact that Muslims were deprived of benefits of developmental schemes which government launched for ameliorating condition of disadvantaged and marginalized section of the society (Waheed, 2007:1). For any development or welfare program to reach out a deprived and backward community demands due representation in decision making bodies such as parliament, state legislature and PRIs (Sheriff and Azam, 2004:77). Participation in decision making bodies is an indicator of a community's empowerment. In a democracy the legislature and other decision making bodies are key to power. The fact is that the Muslims community is inadequately is simply not represented in several Legislatures and even in the Lok Sabha and this shows there is lack of empowerment. Its representation is less than 50 % of what it should be, assessed as per the share in the population .Absence of legislators from any social group in a plural and segmental society puts groups at a clear disadvantaged in development. Representation in decision making bodies such as parliament, state

legislature and Panchayati Raj Institution is for necessary for development to take place.

The representation of Muslims in the Lok Sabha and state assemblies is not that of any recent decline but it is rather on of the persistent pattern of under representation from 1952 to 2004. The fact is that the promise of fair and generous treatment of minorities and assurances of due representation without any constitutional safeguard has not fulfilled (Ansari, 2006:15-16). The table (V.1) shows that the under representation of Muslims in the Lok Sabha from 1952 to 2004 shows that Muslims elected to be the Lok Sabha during this period is 442, the expected Muslims on the basis of their population 836, their deprivation is 47.12% and so the representation is less than half of their proportion in the population. The table (V.II) shows that under representation of Muslims in parliament from the state of Bihar from 1952 to 2004 so that the average Muslims population in Bihar is 13.3%, seats in the Lok Sabha from 1952 to 2004 is 699, expected Muslim members elected are 97 but Muslims members elected are 52, so the deprivation rate is 46.39%, and so the representation is less than half of their proportion in the rural population. The table (V.III) shows that under representation of Muslims in Bihar state legislative assembly from 1952 to 2000 so that the average population of Bihar is

13.3%, in the legislative assembly total members are 3864, Muslim members elected 274 but expected Muslims members are 512 and average deprivation rate of the Muslims is 46.48 % and so the representation is less than half of their proportion in the population.

TABLE (5.1)
Muslim Representation in the Lok Sabha
(Quoted in Ansari, 2006:64)
1952-2004

NO	Year	Total elected member	Muslims elected	Muslim expected on the basis of their population	Deprivation %
I	1952	489	21	49	57.14
II	1957	494	24	49	51.02
III	1962	494	23	53	56.60
IV	1967	520	29	56	48.28
V	1971	518	30	58	48.28
VI	1977	542	34	61	44.26
VII	1980	529	49	59	16.95
VIII	1984	542	46	62	25.81
XI	1989	529	33	60	45.00
X	1991	534	28	65	56.92
XI	1996	543	28	66	57.56
XII	1998	543	29	66	56.06
XIII	1999	543	32	66	51.52
XIV	2004	543	36	66	45.45
Total			442	836	47.12

TABLE (5.2)
Muslims Representation in Lok Sabha from Bihar State
(Quoted in Ansari, 2006:66)

Average Muslim population in the State: 13.3%

Election	years	seats	Muslims in the state %	Expected Muslim member	Muslim Member Elected
I	1952	55	11.28	7	3
II	1957	53	11.28	7	3
III	1962	53	12.45	7	2
IV	1967	53	12.45	7	2
V	1971	53	13.48	7	3
VI	1977	54	13.48	7	2
VII	1980	54	13.48	7	5
VIII	1984	54	14.13	7	6
IX	1989	54	14.13	7	3
X	1991	54	14.81	7	6
XI	1996	54	14.81	7	4
XII	1998	54	14.81	7	6
XIII	1999	54	14.81	7	3
XIV	2004	40	14.81	6	4
Total		699	13.3	97	52

Total elected: 52

Deprivation: 46.39%

TABLE (5.3)
Muslim Representation in Bihar Legislative Assembly
(Quoted in Ansari.2006:182)

Year	Total members	Muslims members	percentage	% in population	Expected
1952	330	23	6.97	11.28	37
1957	318	26	8.18	11.28	36
1962	318	22	6.92	12.45	40
1967	318	17	5.35	12.45	40
1969	318	20	6.29	12.45	40
1972	318	22	6.92	13.48	43
1977	318	24	7.41	13.48	44
1980	324	24	7.41	13.48	44
1985	324	29	8.95	14.13	46
1990	324	17	5.25	14.13	46
1995	324	21	6.48	14.81	48
2000	324	29	8.95	14.81	48
Total Average		274	7.09	13.34	512

Deprivation: 46.48%

The numerical strength of backward castes has led to their proportion to the elected members considerably increasing over a period of time in parliament and in state assemblies. Due to reservation, the representation of the SCs and STs is adequate to their population. The number of the Muslim members in all the decision

making bodies is not only inadequate but in fact, has striking decline in parliament and most of the state assemblies. The pattern seems to be the same at the level of the local Government (Shah, 2007:838). There is due representation of backward castes SCs and STs in PRIs in Bihar. This shows empowerment of the backward castes and SCs in Bihar in PRIs as seen in the previous chapter. The next chapter is concerned with the participation of Muslims in PRIs in the Siwan district of Bihar. Muslim community can be considered to be empowered only if it gets due representation in proportion to its population in these local bodies.

Chapter-VI

LAND PEOPLE AND HISTORY OF SIWAN AND EMPOWERMENT OF MUSLIMS

Siwan is one of the thirty fourth districts of Bihar. It is situated in the western part of the state and was originally sub-division of the Saran District, which in ancient days formed a part of Kosala Kingdom. It is bordered by the Gopalganj District in the north and by the river of Ghaghra in the south beyond which lies the district the Ballia District of Uttar Pradesh. In the east of Siwan lies Saran District while Deoria District bounds it from the west. The global location of Siwan District between $25^{\circ} 53'$ to $26^{\circ} 23'$ North Latitude and $84^{\circ} 47'$ East Latitude. The total area of siwan district is about 2219.00 sq. k.m. According to 2001 census the population of Siwan District is 2714349. The 5.50 percent people of the district live in urban areas, whereas 94.49 percent people live in the rural areas. Muslim constitutes nearly 18.2 percent of the district and they constitute 28.2percent in urban areas of the district while they have the share 71.8 percent of the rural areas of the district. The literacy rate of the district is 51.65 percent as registered in the census of 2001 (Bhatt, 1998:481-485).

Siwan derived its name from “Shiva Man” a Bandh Raja whose heirs ruled this area till Babara arrival. Muslims came here in the 13th century. Sikander Lodi brought this area in his Kingdom in the 15th century. Babara crossed Ghaghra River near Siswan in his return journey. In the end of the 17th century, the Dutch came first followed

by the English. After the battle of Boxer in 1765 it became part of Bengal. In the freedom movement, during his visit to Champaran Mahatma Gandhiji and Madan Mohan Malviya visited Siwan and Gandhiji spent a night at Zeradei in the house of Dr, Rajendra Prasad who became first president of independent India and belonged to Zeradei (Bhatt, 1998:482).

The major changes in the jurisdiction of the district were creation of Siwan as district and implementation of Triveni Award on the 10th June, 1970 resulting substantial alteration of jurisdiction. Siwan was declared as a district in 1972 in which it was proposed to include 10 blocks of Gopalganj and 13 blocks of Siwan Sub-division. After one year in 1973, Gopalganj was made a separate district with its 10 blocks included in Siwan earlier. Siwan was constituted with its 16 blocks. Namely –Siwan, Mairwa, Darauli, Ghutni, Hussainganj, Ander, Raghunathpur, Siswan, Barharia Pachrukhi, under Siwan Subdivision and Maharajganj, Daraundha, Goriakothi, Basantpur, Bhagwanpur Lakri Nabiganj under Maharajganj Subdivision.

The district is divided into two subdivisions for administrative purposes. Each subdivision is divided into development blocks which are further divided into village Panchayats. District siwan has 16 developmental blocks (*vikaas khands*) and 293 villages

Panchayat. There are three key positions namely Zila Panchayat Adhyaksha at district level, Block Pramukh at intermediate level and Gram Panchayat or Mukhia at the village level in the three tiers Panchayati Raj Institution. There are also elected members of these bodies. District has one Zila Panchayat Adhyaksha and 16 block Pramukhs. These are apex positions in the three tiers Panchayati Raj Institution. They play a significant role in the planning and development of the villages.

In the panchayat election 2006, only three Muslim are elected as a block Pramukh and no Muslim is elected as Zila Panchayat Adhyaksha as shown in the table (VI.I). There are 293 Mukhiya (head of the village panchayat directly elected by people) in the district and 40 Muslims are elected as Village Pradhans or Mukhiyas in the Panchayat election 2006. If Muslims were elected in proportion to their rural population (71.8%) in the district there would have been 11 block Pramukhs and 210 Muslim Pradhans or Mukhiya.

In the panchayat election 2006, Only 4 Muslims are elected as members of Zila Parishad which Consist of 40 members. Out of 293 elected Sarpanch of the district 39 are Muslims. 2763 are elected members of 293 village panchayats of the district out of which 1120 are Muslims Had Muslims been elected members of Zila Parishad,

Sarpanch and Gram Panchayat member in proportion to their population their number would have been 29,210 and 2000, respectively.

Preceding analysis explicitly shows that under representation of Muslims in PRIs. Their political deprivation is evident as number of elected Muslims in PRIs is not in proportion to their rural population. We find 51 percent average deprivation of Muslim in PRIs as no Muslim is elected to Zila Panchayat Adhyakhsha their deprivation is cent percent (100%). While 81 percent deprivation exists at the level of Mukhya or Pradhan position. The scale of deprivation is similar at the level of elected members to Zila Parishad, Sarpanch and Gram Pradhan. 51 percent deprivation exists in village Panchayat while 86 percent, 81 percent and 79 percent prevails in Zila Parishad, Sarpanch Gram Panchayat members respectively.

Thus in the local bodies of Siwan district the average deprivation in Muslim representation is nearly 51 %. If one compares these figures with the Muslim deprivation percentage in the Lok Sabha election (2004) i.e. 45.45 percent and the Bihar Assembly elections (2005) i.e. 46.48 percent (Ansari, 2006:64-182). The Muslim deprivation pattern in Siwan district Panchayats is quite high. The pattern of Muslims representation in key positions of local bodies is

worse than that of Muslims representation at national and state level. Concerned is expressed both in the government report and in academic circles on the patterns of Muslims political representation in decision making bodies at grass root level for a community which is lagging behind in development. Empowerment of the community through participation in decision making in PRIs is considered necessary for equity and development. Sacchar committee observed that “many persons the committee interacted with felt that lack of adequate Muslim voice in the government, even in the self government bodies and similar other grassroots institution has resulted in a situation that Muslims lagged behind. In their view, political participation and representation in government structure are essentially to achieve equity” (SCR, 2006:23).

Table 6.1
Muslims Representation in Panchayats of District Siwan

S.No.	Panchayati Raj Institutions(PRIs)	Total Elected Members	Muslims Elected	Expected Muslims on the basis of their population	Deprivation % in PRIs
1	Zila Panchayat Adhyaksha & Block Pramukh	17	3	11	73
2	Zila Parishad	40	4	29	86
3	Sarpanch	293	39	210	81
4	Mukhiyas	293	40	210	81
5	Gram Panchayat Members	2763	1120	2000	79
Total			1206	2460	51

CONCLUSION

In this study of the empowerment of the Muslim through Panchayati Raj Institution, the concept of empowerment refers to bringing about change in power relations and capacity for greater participation in decision making and greater control over resources. It is a study of extend to which disadvantaged and marginalized groups such as Muslims get power and so are empowered in the local bodies. The empowerment of the Muslims is crucial for the country because this is the only way to ensure the success of democracy as well as that of development process at the grass root level. The 73rd amendment of the constitution has made panchayats viable and responsive people' bodies necessary for the success of democracy and the development. Since there is decentralization of power to the people in local bodies, the extent to which different communities participate in decision making bodies such as panchayats will determine their development. The empowerment of a community in panchayat is imperative for its development.

While tracing the history of Panchayati Raj Institution in Bihar, it was observed that, apart from the Upper Caste, there is due representation of the Backward Castes and Schedule Castes in PRIs in Bihar. They have been elected as members as well as Mukhiyas and Chairman of Zila Parishad. There is empowerment of Backward Caste

and Scheduled Caste in Bihar in the PRIs. The empowerment of these communities in the PRIs has resulted in the socio economic development of these communities. The Muslim community in Bihar can be considered to be empowered only if it gets due representation in the PRIs so that they participate in these decision making bodies as members and in positions such as Mukhiyas, Sarpanch and Chairman.

This study of the empowerment of Muslim through PRIs in Siwan shows the unrepresentation of Muslims in PRIs. Their lack of empowerment is evident as numbers of elected Muslims in PRIs are not in proportion to their rural population in the district (71.8%). We find 51 % average deprivation of Muslims in PRIs. As no Muslim is elected to Zila Panchayat Adhyaksha their deprivation is cent percent (100 %), while 81 percent deprivation is exists at the level of Gram Panchayat Mukhiya or Pradhan position. The scale of deprivation is similar at the level of elected members to Zila Parishad, Sarpanch and Gram Panchayat .51 percent deprivation exist inn Village Panchayat while 86 percent, 81 percent and 79 percent deprivation prevail inn Zila Parishad, Sarpanch and Gram Panchayat respectively.

The Sacchar Commission Report noted that low participation of the Muslim in the local bodies resulted in development benefits failing to reach areas of Muslim concentration. Among states having a large

Muslim concentration such as west Bengal, Bihar, Uttar Pradesh and Assam, the Muslims have lagged behind in development. In fact, by and large, Muslims rank some what above SCs and STs but below Hindu OBCs, other minorities and Hindu general (mostly upper caste) in almost all indicators of development (SCR, 2006:237).The Sacchar Commission posits a direct relationship between the low participation of the Muslims in the democratic process at all levels of the nation, state and grass root and lack of participation of the community in the development process. Sacchar Commission write: “The participation of Muslims in nearly all political spaces is low which can have an adverse impact on the Indian society and polity in the long run.... they don’t have the necessary influences or the opportunity to either change or even influence events which enables their meaningful and active participation in development process” (SCR,2006:241).

Therefore, there is a need to ensure the proper participation of the Muslims at all levels of the democratic process particularly at the grass root level of Panchayati Raj, in order to bring about development of the community and for the success of democratic process. The mechanism recommended by the Sacchar Commission for true empowerment of the Muslims community is carefully conceived nomination procedure at the grass roots. Such a mechanism would

ensure that a large numbers minority will be nominated so as to increase their participation in local bodies. The Commission further recommended that the state government can enact appropriate state level loans to ensure Muslims representation in local bodies (SCR, 2006:241). Such a major would go a long way for the empowerment of the Muslims in PRIs which is imperative for their development.

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